From: Bill Sawyer
To: Microsoft ATR
Date: 1/24/02 3:24pm
Subject: Microsoft Settlement

The settlement proposed by the Justice Department is hardly a slap on the wrist for Microsoft. More sever sanctions need to be imposed to ensure that Microsoft's monopoly does not continue to harm the market.

For example, the "security clause", which allows Microsoft to choose not to disclose API information if the company believes it may endanger the security of the OS, is laughable at best. The architecture of the Operating System would, according to such terms, ensure that NO data is released to competitors and third-party developers. By tying in technology such as ActiveX and Visual Basic for Applications into the core of the operating system, the company has created intrinsic security problems in their software. EVERY part of the OS could be construed as insecure.

Furthermore, the tying in of components is another reason why harsher sanctions must be levied against Microsoft. By forcing the user to use the Microsoft graphical user interface, the Microsoft Internet Explorer, the Microsoft Windows Media Player, etc., the company both makes competition difficult, if not impossible.

Under the US DMCA, competitors are not allowed to reverse engineer MS Windows, as it would undermine Microsoft's technological protection measures. As such, the only way for competitors to remain afloat is to learn about the "hidden" APIs and system calls in Windows, which will only come about through a court-ordered release of source code and proper, thorough documentation unhindered by restrictive non-disclosure agreements.

Finally, a settlement or court-ordered sanction should require Microsoft to re-engineer all further versions of it's operating system and software to be modular. Should a consumer wish to remove Outlook Express, Internet Explorer, or Visual Basic and the Windows Scripting Host, he or she should be able to do so easily.

Microsoft has been in the business of taking over the market via their monopolistic practices - not in the business of developing a secure operating system. To ensure that competition occurs throughout the market place, the suggestions outlined above, as well as the suggestions of numerous other groups, such as the Electronic Frontier Foundation and GNU, should be given heed.

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